

Bill No. SB 662

Barcode 373838 Comm: RCS 04/04/2006 07:57 PM
e Substitute by the Committee on Governmental

Oversight and Productivity

1 A bill to be entitled
2 An act relating to a review under the Open
3 Government Sunset Review Act regarding local
4 government managers; amending s. 119.071, F.S.;
5 narrowing the public records exemption for
6 personal identifying information of current or
7 former human resource, labor relations, or
8 employee relations directors, assistant
9 directors, managers, or assistant managers of
10 any local government agency or water management
11 district with specified duties and the spouses
12 and children of such personnel; removing the
13 scheduled repeal of the exemption under the
14 Open Government Sunset Review Act; providing an
15 effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Paragraph (d) of subsection (4) of section
20 119.071, Florida Statutes, is amended to read:

21 119.071 General exemptions from inspection or copying
22 of public records.--

23 (4) AGENCY PERSONNEL INFORMATION.--

24 (d)1. The home addresses, telephone numbers, social
25 security numbers, and photographs of active or former law
26 enforcement personnel, including correctional and correctional
27 probation officers, personnel of the Department of Children
28 and Family Services whose duties include the investigation of
29 abuse, neglect, exploitation, fraud, theft, or other criminal
30 activities, personnel of the Department of Health whose duties
31 are to support the investigation of child abuse or neglect,

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1 and personnel of the Department of Revenue or local
2 governments whose responsibilities include revenue collection
3 and enforcement or child support enforcement; the home
4 addresses, telephone numbers, social security numbers,
5 photographs, and places of employment of the spouses and
6 children of such personnel; and the names and locations of
7 schools and day care facilities attended by the children of
8 such personnel are exempt from s. 119.07(1). The home
9 addresses, telephone numbers, and photographs of firefighters
10 certified in compliance with s. 633.35; the home addresses,
11 telephone numbers, photographs, and places of employment of
12 the spouses and children of such firefighters; and the names
13 and locations of schools and day care facilities attended by
14 the children of such firefighters are exempt from s.
15 119.07(1). The home addresses and telephone numbers of
16 justices of the Supreme Court, district court of appeal
17 judges, circuit court judges, and county court judges; the
18 home addresses, telephone numbers, and places of employment of
19 the spouses and children of justices and judges; and the names
20 and locations of schools and day care facilities attended by
21 the children of justices and judges are exempt from s.
22 119.07(1). The home addresses, telephone numbers, social
23 security numbers, and photographs of current or former state
24 attorneys, assistant state attorneys, statewide prosecutors,
25 or assistant statewide prosecutors; the home addresses,
26 telephone numbers, social security numbers, photographs, and
27 places of employment of the spouses and children of current or
28 former state attorneys, assistant state attorneys, statewide
29 prosecutors, or assistant statewide prosecutors; and the names
30 and locations of schools and day care facilities attended by
31 the children of current or former state attorneys, assistant

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1 state attorneys, statewide prosecutors, or assistant statewide
2 prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I
3 of the State Constitution.

4 2. The home addresses, telephone numbers, ~~social~~
5 ~~security numbers~~, and photographs of current or former human
6 resource, labor relations, or employee relations directors,
7 assistant directors, managers, or assistant managers of any
8 local government agency or water management district whose
9 duties include hiring and firing employees, labor contract
10 negotiation, administration, or other personnel-related
11 duties; the names, home addresses, telephone numbers, ~~social~~
12 ~~security numbers~~, ~~photographs~~, and places of employment of the
13 spouses and children of such personnel; and the names and
14 locations of schools and day care facilities attended by the
15 children of such personnel are exempt from s. 119.07(1) and s.
16 24(a), Art. I of the State Constitution. ~~This subparagraph is~~
17 ~~subject to the Open Government Sunset Review Act in accordance~~
18 ~~with s. 119.15 and shall stand repealed on October 2, 2006,~~
19 ~~unless reviewed and saved from repeal through reenactment by~~
20 ~~the Legislature.~~

21 3. The home addresses, telephone numbers, social
22 security numbers, and photographs of current or former United
23 States attorneys and assistant United States attorneys; the
24 home addresses, telephone numbers, social security numbers,
25 photographs, and places of employment of the spouses and
26 children of current or former United States attorneys and
27 assistant United States attorneys; and the names and locations
28 of schools and day care facilities attended by the children of
29 current or former United States attorneys and assistant United
30 States attorneys are exempt from s. 119.07(1) and s. 24(a),
31 Art. I of the State Constitution. This subparagraph is subject

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1 to the Open Government Sunset Review Act in accordance with s.
2 119.15 and shall stand repealed on October 2, 2009, unless
3 reviewed and saved from repeal through reenactment by the
4 Legislature.

5 4. The home addresses, telephone numbers, social
6 security numbers, and photographs of current or former judges
7 of United States Courts of Appeal, United States district
8 judges, and United States magistrate judges; the home
9 addresses, telephone numbers, social security numbers,
10 photographs, and places of employment of the spouses and
11 children of current or former judges of United States Courts
12 of Appeal, United States district judges, and United States
13 magistrate judges; and the names and locations of schools and
14 day care facilities attended by the children of current or
15 former judges of United States Courts of Appeal, United States
16 district judges, and United States magistrate judges are
17 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
18 Constitution. This subparagraph is subject to the Open
19 Government Sunset Review Act in accordance with s. 119.15 and
20 shall stand repealed on October 2, 2009, unless reviewed and
21 saved from repeal through reenactment by the Legislature.

22 5. The home addresses, telephone numbers, social
23 security numbers, and photographs of current or former code
24 enforcement officers; the names, home addresses, telephone
25 numbers, social security numbers, photographs, and places of
26 employment of the spouses and children of such persons; and
27 the names and locations of schools and day care facilities
28 attended by the children of such persons are exempt from s.
29 119.07(1) and s. 24(a), Art. I of the State Constitution. This
30 subparagraph is subject to the Open Government Sunset Review
31 Act in accordance with s. 119.15 and shall stand repealed on

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October 2, 2006, unless reviewed and saved from repeal through reenactment by the Legislature.

6. The home addresses, telephone numbers, places of employment, and photographs of current or former guardians ad litem, as defined in s. 39.820, and the names, home addresses, telephone numbers, and places of employment of the spouses and children of such persons, are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, if the guardian ad litem provides a written statement that the guardian ad litem has made reasonable efforts to protect such information from being accessible through other means available to the public. This subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2010, unless reviewed and saved from repeal through reenactment by the Legislature.

7. An agency that is the custodian of the personal information specified in subparagraph 1., subparagraph 2., subparagraph 3., subparagraph 4., subparagraph 5., or subparagraph 6. and that is not the employer of the officer, employee, justice, judge, or other person specified in subparagraph 1., subparagraph 2., subparagraph 3., subparagraph 4., subparagraph 5., or subparagraph 6. shall maintain the exempt status of the personal information only if the officer, employee, justice, judge, other person, or employing agency of the designated employee submits a written request for maintenance of the exemption to the custodial agency.

Section 2. This act shall take effect October 1, 2006.